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April 25, 2012

VIA E-MAIL
VIA FIRST CLASS MAIL

Michael A. Mintzer
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region II
290 Broadway, 17th Floor
New York, New York 10007-1866

Re: GPMI and Getty Terminals Corp. Initial Response
Newtown Creek Superfund Site, Kings County and Queens
County, New York
Request for Information Pursuant to the Comprehensive
Environmental Response,
Compensation, and Liability Act, 42 U.S.C. 9601-9675

Dear Mr. Mintzer:

This firm represents Getty Petroleum Marketing Inc. and Getty Terminals Corp. with regard to the above referenced matter. As per our telephone call on March 29, 2012, please accept this initial response to the Request for Information dated October 25, 2011. As we agreed, at this time our initial response would be limited to addressing site ownership and operations information as requested in Sections 1 and 2 of the Request that we have been able to obtain to date to answer the Request. Please be advised that Getty Petroleum Marketing Inc. ("GPMI") was created to run the marketing business of Getty Petroleum Corp. Thus, GPMI and Getty Terminals Corp. have limited information regarding all ownership, operations and site history prior to 1996 when GPMI was formed.

Section 1.0 Company Information

1. (a) GPMI, 1500 Hempstead Turnpike, East Meadow, New York 11554.

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(b) GPMI was incorporated on October 1, 1996 in Maryland. The agent in Maryland is James J. Hanks, Jr. c/o Ballard Spahr Andrews & Ingersoll, 300 East Lombard Street, Baltimore, Maryland. The qualification in New York was on November 18, 1996 and the agent in New York is Corporation Trust Company, 1633 Broadway, New York, New York 10019.

(c) The Chief Executive Officer of the Company is Bjorn Aaserod, c/o GPMI, 1500 Hempstead Turnpike, East Meadow, New York 11554.

(d) The parent company is Cambridge Petroleum Holding Inc. (Delaware). The affiliated companies are (i) Getty Terminals Corp. (New York); (ii) Cambridge Petroleum Headquarters LLC (Delaware), and its registered agent in Delaware is Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801; (iii) Gasway Inc. (New York); (iv) PT Petro Corp. (New York); and (v) Gasway, PA, Inc. (Delaware) and its registered agent in Delaware is Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801. The Chief Executive Officer for all of the affiliated companies is Bjorn Aaserod.

(e) GPMI's continuing relationship between Lukoil, GPMI and Getty Terminal Corp. (i) a stock purchase agreement was executed by Cambridge Petroleum Holding Inc. and Lukoil Americas Corporation transferring GPMI to Cambridge on February 11, 2011; (ii) GPMI is a wholly owned subsidiary of Cambridge Petroleum Holding Inc.; (iii) Texaco, Inc. purchased Getty Oil on February 1, 1984; (iv) Getty Oil is the successor company of Tidewater Oil Company; (v) in March of 1997, Getty Petroleum Corp. spun off the marketing business and changed its name to Getty Realty Corp., which owned the properties or held the master lease on certain properties then leased the marketing business under a Master Lease to GPMI. GPMI was created to operate the marketing business.

2. Future EPA Communications can be forwarded to GPMI, Attention: Chief Executive Officer, 1500 Hempstead Turnpike, East Meadow, New York 11554.

Section 2.0 Owner/Operator Information

3. (a) Getty Terminals Corp. is 100% wholly owned subsidiary of GPMI and has been the operator of this Facility since March 21, 1997. This Facility is the only Newtown Creek property that Getty Terminals Corp. operates in the vicinity of Newton Creek.

(b) There are no entities affiliated with GPMI that hold such interest.

(c) The Facility is located at 30-23 Greenpoint Avenue, Long Island City, Queens, New York 11101, Block 294, Lots 270-280.

(d) In March 1997, Getty Petroleum Corp. spun off the petroleum marketing business and changed its name to Getty Realty Corp. GPMI was formed to run the marketing business, including the Facility, which has been operated by Getty Terminals Corp. since March 21, 1997.

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(e) Based on information and belief, the operations are ongoing. Getty Terminals Corp. operates at the Property. Power Test Realty Company Limited Partnership is the owner of record.

(f) The principal business at the Facility is to receive, store and distribute petroleum products to GPMI's customers. There are no other Newtown Creek properties owned or operated by Getty Terminals Corp.

(g) There is a Stock Purchase Agreement dated February 11, 2011.

4. Getty Terminals Corp. exercises actual control or held significant authority to control activities at the Facility.

(a) To the best of our knowledge, at this time, there are no lessees, sublessees, partners, joint venturers or holders of easements.

(b) To the best of our knowledge, at this time there are no contractors, subcontractors, licensees or licensors that exercise control over any materials handling, storage or disposal activity.

(c) Buckeye Pipe Line Company delivers gasoline to the Facility.

(d) To the best of our knowledge, at this time, there are no railroads or rail lines provided delivery materials to or shipment from the Facility.

(e) GPMI and Getty Terminals Corp. will supplement this Initial Response with information responsive to this request.

(f) Poling and Cutler, 18 Breckenridge Court, Freehold, New Jersey 07728 and Bouchard Transportation, 58 South Service Road, Melville, New York 11747 provide delivery of materials to or shipment from the Facility.

(g) Cumberland Farms (Gulf), Small Trucking and Dyam Trucking leased a portion of the automotive garage at the Facility.

5. Based upon information and belief the current property owner of the facility is Power Test Realty Company Limited Partnership. The prior owners were Getty Petroleum Corp., Texaco, Inc., Getty Oil and Tidewater Oil Company.

(a) From March 21, 1997 to the present Power Test Realty Company Limited Partnership has owned the Facility. From February 1, 1985 to March 20, 1997, Getty Petroleum Corp. owned the Facility. From February 1, 1984 to January 31, 1985, Texaco Inc. owned and operated the Facility. Prior to February 1, 1984, Getty Oil owned and operated the Facility. From February 1, 1985 to the present, Getty Terminals Corp. operated the Facility to receive, store and distribute petroleum products to its customers, as well as throughput and exchange

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customers. Product was received into the terminal by marine vessel, Buckeye Pipeline and trucks. Product as loaded out only at the truck loading rack. We do not have information regarding the activities that took place prior to February 1, 1985.

(b) To the best of our knowledge, there are no such affiliations.

(c) We do not have information regarding the prior operations of the Facility.

6. Getty Terminals Corp. has operated the Facility from February 1, 1985 to the present. We are not aware of the operations prior to February 1, 1985.

(a) Getty Terminals Corp. has operated the Facility from February 1, 1985 to the present.

(b) There are no affiliations with prior owners.

(c) The Facility operations are to receive, store and distribute petroleum products. We are not aware of any other activities.

(d) We do not have knowledge of any releases of hazardous substances, industrial waste or other waste at the Facility during the period the prior ownership of the Facility.

7. (a) The Company has not been a party in any litigation described in Paragraph 7(a).

(b) GPMI and Getty Terminals Corp. will supplement this Initial Response with information responsive to this request.

8. (a) The Company does not own Newtown Creek or the wetlands associated with Newtown Creek.

(b) During the period that Getty Terminals Corp. operated the Facility, it used the pier, maintained the dock and bulkhead and replaced 360 feet of bulkhead.

(c) See above.

9. (a) The Company received petroleum product from water borne vessels. Also, see response to Paragraph 7(b).

(b) See response to Paragraph 8(b).

(c) No, the Company has not constructed, operated or utilized any facility under the waters or sediments of Newtown Creek.

(d) On December 11, 2001, the bulkhead required maintenance. All permits were obtained and authority granted to restore approximately 360 linear feet of bulkhead.

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(e) Vessels unloaded gasoline and ethanol but there was no fueling or cleaning of any vessel at the dock.

(f) (i) See response to Paragraph 9(f).

(ii) Vessels pumped product to shore tanks.

(iii) Single and double hull vessels ranging in capacity of 15,000-30,000 barrels of product. The barges were powered by tug boats. The water depth ranged from 12 ½ to 20 feet.

(iv) There is no ship or vessel cleaning at the Facility.

(v) The Facility has various safety controls, including high level alarms and emergency shutdown systems, all of which were included in the United States Coast Guard manual.


(g) On October 13, 2005, there was a 15-gallon spill of reformulated blendstock for oxygenated blending (RBOB) due to a pinhole leak in a pipeline from the storage tank to the loading rack. This spill was properly reported to all agencies and assigned spill # 0508366. The National Response Center assigned Report # 775943 to this incident. The spill was closed out on January 31, 2006.

10. There are no other Newtown Creek properties as defined in this request.

Reservation of Rights

Getty Petroleum Marketing Inc. and Getty Terminals Corp. hereby reserve the right to further supplement this Initial Response upon receipt of additional information response to the Request. By submission of the Initial Response, GPMI and Getty Terminals Corp. do not waive any right or defenses associated with any future claims.

Very truly yours,



Frances B. Stella

FBS:lpc
Enclosures

cc: Caroline Kwan (via email only)

BE:1356466.1/GET021-256779